

RESOLUTION NO. 3151

AUTHORIZING EXECUTION OF AGREEMENT  
FOR FORMATION OF CITIES AND COUNTY OF  
SAN JOAQUIN ADVISORY PLANNING ASSOCIATION

RESOLVED, that the Mayor be and he is hereby authorized and directed to execute on behalf of the City of Lodi, that certain document, entitled "AGREEMENT FOR THE FORMATION OF THE CITIES AND COUNTY OF SAN JOAQUIN ADVISORY PLANNING ASSOCIATION, " by and between the COUNTY OF SAN JOAQUIN, the CITY OF ESCALON, the CITY OF LODI, the CITY OF MANTECA, the CITY OF RIPON, the CITY OF STOCKTON, and the CITY OF TRACY, all of which are referred to therein as "member agencies," to establish an area wide agency to coordinate planning within the territorial boundaries of the County of San Joaquin, a copy of which Agreement substantially in the form to be executed is attached hereto and marked Exhibit "A" and by reference hereto is made a part hereof

Dated: February 14, 1968

I hereby certify that the foregoing resolution was passed and adopted by the City Council of the City of Lodi in regular meeting

held February 14, 1968, by the following vote:

Ayes: Councilmen - BROWN, CULBERTSON, HUNXELL  
WALTON and KIRSTEN

Noes: Councilmen - None

Absent: Councilmen - None

*Susan L. Bennett*  
City Clerk



AGREEMENT FOR THE FORMATION OF THE CITIES AND  
COUNTY OF **SAN JOAQUIN** ADVISORY PLANNING ASSOCIATION

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THIS AGREEMENT made and entered into this \_\_\_\_\_ day of February, 1968 by and between the County of San Joaquin, a political subdivision of the State of California; the City of Escalon, a municipal corporation; the City of Lodi, a municipal corporation; the City of Manteca, a municipal corporation; the City of Ripon, a municipal corporation; the City of Stockton, a municipal corporation; and the City of Tracy, a municipal corporation, all of which are referred to hereinafter as the "member agencies".

WITNESSETH:

WHEREAS, the municipal corporation parties to this agreement consist of the six incorporated cities within the territorial limits of the County of San Joaquin, State of California, and the County of San Joaquin which possesses the general governmental control of the unincorporated territory of the County of San Joaquin; and,

WHEREAS, the parties hereto desire to establish an areawide agency to coordinate planning for the area within the territorial boundaries of the County of San Joaquin strictly pursuant to and limited by the powers set forth in this agreement, and,

WHEREAS, the County of San Joaquin and the incorporated cities of the County of San Joaquin desire to associate themselves together for certain specific purposes to form an organization known as the "Cities and County of San Joaquin Advisory Planning Association", and,

WHEREAS, it is the opinion of the cooperating County and Cities that constructive, workable policies and programs for meeting area-wide problems which transcend local government will be most effectively and expeditiously developed by regular meetings of local governmental agency members in an area-wide voluntary and cooperative association dedicated to the solution of these problems. Such problems of concern may include the following:

- Planning, acquisition and development of Open Space Land
- Outdoor recreation
- Planning and construction of hospitals
- Health research facilities
- Hill-Burton hospital and health facilities
- Community mental health facilities and centers
- Vocational rehabilitation facilities

Regional medical libraries  
Comprehensive state and area-wide health planning  
Airport planning and construction  
Libraries  
Water supply and distribution facilities  
Basic sewer and water facilities  
Waste treatment facilities  
River basin pollution control and abatement  
Rural water and waste disposal facilities and planning  
Air pollution  
Solid waste disposal programs  
Highway development  
Highway landscaping and scenic enchantment  
Transportation facilities  
Urban mass transportation  
Irrigation and reclamation  
Water shed protection and flood prevention  
Soil and water conservation  
Rural renewal and resource conservation and development  
Beach erosion control and flood prevention  
State and regional water resources planning  
Land conservation projects  
Public facility loans  
Public works planning  
Public works and economic development facilities  
Urban planning  
Advanced acquisition of land  
Regional action planning  
Economic development planning

NOW THEREFORE, it is mutually agreed by and among the parties of this agreement that:

(1) Pursuant to Article 11 of Chapter 3 of Title 7 of the Government Code of the State of California, an area planning commission entitled the "Cities and County of San Joaquin Advisory Planning Association" is hereby established.

(2) Each City Council of each City which is a party to this agreement and the Board of Supervisors of the County of San Joaquin shall appoint one of its elected members as a member of the Association. Each member agency shall appoint one of its elected members as an alternate member of the Association. Each appointed member of the Association shall have one vote. Each alternate member shall have the rights and duties of the appointed member from the same member agency in the absence of that member. The attendance of four appointed members to the Association or duly authorized alternates shall constitute a quorum for the transaction of business.

- (3) The term of office of an appointed member shall correspond to the official tenure of his elected office, but any appointed member may be removed by the body which appointed him. Vacancies in the position of any appointed member shall be filled by the member agency which made the original appointment.
- (4) Ex-officio non-voting members acting in an advisory capacity shall be District Engineer, State Division of Highways District X; San Joaquin County Superintendent of Schools; and San Joaquin Local Health District Health Officer. Each ex-officio member may designate one of his deputies or assistants to meet with the Association.
- (5) Annually, the Association shall elect a Chairman and a Vice-Chairman and Secretary from among its appointed members. The Secretary shall select a Recording Secretary who is an officer or employee of the same member agency as the Secretary. The term of office of the Recording Secretary shall coincide with that of the Secretary.
- (6) Any member agency may withdraw from the Alliance at any time to be effective thirty days after written notice to the Chairman.
- (7) The Association shall adopt rules and regulations for the transaction of its business and shall keep a record of its resolutions, transactions and determinations. The initial by-laws of the Association shall be those annexed to this agreement, marked "Exhibit A" and incorporated herein by this reference. This Association may recommend amendments to all or a portion of these by-laws in the manner prescribed in the by-laws.
- (8) Appointed members and ex-officio members shall serve without compensation from the Association.
- (9) Annually, the Association shall prepare a budget for the ensuing fiscal year to commence on July 1, and shall submit the same for ratification to the governing body of each member agency prior to March 1st. If the Association is formed and operating prior to March 1, 1968, the Association shall adopt a budget for the remainder, if any, of the 1967 fiscal year and for the 1968 fiscal year, and shall submit these budgets to the member agencies for ratification. Upon ratification of any budget by the legislative bodies of all the member agencies, the expenses in that budget shall be financed by the County of San Joaquin.

(10) All expenditures of the Association shall be in accordance with the approved budget and shall be disbursed by the County Auditor-Controller. All funds of the Association, if any, shall be deposited in the Treasury of the County of San Joaquin.

(11) *The* purpose of this Association is for cooperative planning of area-wide problems. There is no intent in this agreement and these by-laws to limit the powers of each city or county government in any manner. Specifically, the purpose of the Cities and County of San Joaquin Advisory Planning Association is to consider collectively and to act upon matters affecting the County and the Cities of San Joaquin County, including but not limited to the following:

(a) To develop and maintain a means of cooperative effort and understanding in matters of mutual interest.

(b) To provide a forum for discussion, study, and development of recommendations on area problems of mutual interest and concern.

(c) To provide coordination of objectives of the General Plans of the County and Cities, to make recommendations for the implementation of such plans, and to consolidate such plans into one comprehensive plan.

(d) To review the General Plans at the request of local governments as to their relationship and conformity to the comprehensive plan.

(e) To make available and coordinate information between all agencies and to keep them fully apprised of new developments which may affect their future proposals.

(f) To receive and review applications on proposals for federal government assistance, and to report on their relationships to comprehensive plans or elements of such plans.

(12) Under no circumstances shall this Association be empowered to levy taxes nor exercise the right of eminent domain, nor shall this Association be authorized to exercise any administrative or legislative authority over the member agencies., If at any time any of these powers are requested by the Association, the Association shall be forthwith dissolved.

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(13) Any new city which may become incorporated hereafter within the territorial limits of the County of San Joaquin may, upon such incorporation, request membership in the Association, and shall be entitled to all the rights and privileges of the other member agencies upon filing with the Secretary of this Association of a request to become a member agency and containing an assent to all the terms hereof.

(14) In any case, where an application for assistance is received by the Association for which review and approval by the Association is necessary, said application shall be acted upon by the Association within thirty days of the date of the receipt of the application by the Secretary. Such applications must be delivered to the Secretary by personal delivery or certified mail.

ATTEST: RALPH W. EPPERSON  
County Clerk and Ex-officio  
Clerk of the Board of Super-  
visors of the County of San  
Joaquin, State of California

COUNTY OF SAN JOAQUIN, a  
political subdivision of  
the State of California

By \_\_\_\_\_ (SEAL) By \_\_\_\_\_  
Chairman  
Board of Supervisors  
County of San Joaquin

CITY OF ESCALON, a municipal  
corporation

ATTEST:

By \_\_\_\_\_  
City Clerk, City of Escalon

By \_\_\_\_\_  
Mayor

CITY OF MDI, a municipal  
corporation

ATTEST:

By \_\_\_\_\_  
City Clerk, City of Lodi

By \_\_\_\_\_  
Mayor

ATTEST:

By \_\_\_\_\_  
City Clerk, City of Manteca

CITY OF MANTECA, a municipal  
corporation

By \_\_\_\_\_  
Mayor

ATTEST:

By \_\_\_\_\_  
City Clerk, City of Ripon

CITY OF RXPON, a municipal  
corporation

\_\_\_\_\_  
Mayor

ATTEST:

By \_\_\_\_\_  
City Clerk, City of Stockton

CITY OF STOCKTON, a municipal  
corporation

By \_\_\_\_\_  
Mayor

ATTEST:

By \_\_\_\_\_  
City Clerk, City of Tracy

CITY OF TRACY, a municipal  
corporation

By \_\_\_\_\_  
Mayor

BY-LAWS OF THE CITIES AND COUNTY OF SAN  
JOAQUIN ADVISORY PLANNING ASSOCIATION

ARTICLE 1. - MEETINGS

SECTION 1. Regular meetings of the Association shall be held on the \_\_\_\_\_ day of \_\_\_\_\_ at \_\_\_\_\_ or at any other time or place in accordance with these by-laws. If at any time any regular meeting falls on a holiday, such regular meeting shall be held the next day at the scheduled time and place. Any regular meeting may be adjourned to a designated hour and place and when ~~so~~ adjourned, shall be considered as a regular meeting.

SECTION 2. Special meetings of the Association may be called by the Chairman or upon written request of three appointed members delivered to the Chairman. Members of the Association shall be given at least seven calendar days notice of any special meeting. At special meetings, only such matters as are specified in the notice of the meeting may be considered. Any special meeting may be adjourned from time to time.

SECTION 3. All meetings of the Association shall be open to the public.

SECTION 4. The Secretary of the Association shall cause written notice of all regular and special meetings to be deposited in the United States mail, addressed to all members of the Association, at least seven calendar days in advance of the meeting. The notice of meeting shall contain at a minimum, a tentative agenda for the meeting.

ARTICLE 2.- Officers

SECTION 1. The Chairman shall preside at all meetings, decide questions of parliamentary procedure, appoint committees authorized by the appropriate membership, and designate the Chairman thereof, call special meetings and perform such other functions and duties which may be prescribed by appropriate authority or which is customary of an office of Chairman.

SECTION 2. A Vice-chairman shall perform the functions and duties of the Chairman in his absence.

SECTION 3. The Secretary shall keep good and sufficient records of all proceedings of the Association, maintain a record of all financial transactions of the Association, receive and transmit the correspondence of the Association, and shall perform such other functions and duties as may be prescribed by appropriate authority.

ARTICLE 3. - Operations

SECTION 1. The vote on all motions shall be by roll call vote and the "Ayes" and "Noes" and members present and not voting shall be entered upon the minutes of the meeting.

SECTION 2. The latest edition of "Roberts Rules of Order" shall prescribe the rules of order for the Association.

SECTION 3. These by-laws may be amended by the following procedure: Written notice of any proposed amendment shall be submitted to all members of the Association at least ten days prior to any regular or special meeting of the Association. Written notice need not be required if the proposed amendment is submitted to the Association at a regular meeting of the Association prior to the meeting at which the amendment is considered. If the proposed amendment is recommended by majority vote of the appointed members, the amendment shall become effective when all of the legislative bodies of the member agencies file copies of their actions with the Secretary of the Association ratifying the amendment.

SECTION 4. The order of business at all regular meetings of the Association shall be as follows:

- (a) Roll Call
- (b) Reading and approval of minutes
- (c) Financial report
- (d) Correspondence
- (e) Old Business
- (f) Agenda items
- (g) New business
- (h) Public presentations
- (i) Adjournment

END